

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 DANIEL FORTE, :
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 Plaintiff, :
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 - against - :
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 CITY OF NEW YORK, et al., :
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 Defendants. :
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ELECTRONICALLY FILED
DOC #
DATE FILED: 8/26/2021

16-CV-560 (VSB)

ORDER**VERNON S. BRODERICK, United States District Judge:**

I am in receipt of Plaintiff's letter dated August 21, 2021 requesting an extension of time to file an opposition to Defendants' summary judgment motion. Plaintiff's application is GRANTED. The parties are directed to file summary judgment oppositions and replies in accordance with the following schedule:

1. Opposition papers shall be filed no later than September 13, 2021.
2. Reply papers, if any, shall be filed no later than September 24, 2021.

While I note that "a prisoner has a right to be present when his legal mail is opened," *Davis v. Goord*, 320 F.3d 346, 351 (2d Cir. 2003), Plaintiff has not made any showing to date that any tampering of his legal mail, clearly marked as such, by prison officials has occurred, nor has Plaintiff articulated and met the standard for a temporary restraining order. Therefore, I make no finding with regard to Plaintiff's legal mail.

IT IS FURTHER ORDERED that the Clerk of Court is respectfully directed to mail a copy of this Order to the pro se Plaintiff.

SO ORDERED.

Dated: August 26, 2021
New York, New York



Vernon S. Broderick
United States District Judge